

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-03130-TNM**

DE JARAY et al v. FEDERAL BUREAU OF
INVESTIGATION
Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 10/18/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

STEVEN A.W. DE JARAY

represented by **David Springer**
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Plaintiff

PERIENNE DE JARAY

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V.

Defendant

**FEDERAL BUREAU OF
INVESTIGATION**

represented by **Paul Cirino**
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Date Filed	#	Docket Text
10/18/2019	<u>1</u>	COMPLAINT against All Plaintiffs (Filing fee \$ 400 receipt number ADCDC-6461798) filed by STEVEN A.W. DE JARAY, PERIENNE DE JARAY. (Attachments: # <u>1</u> Exhibit A (redacted), # <u>2</u> Exhibit B (redacted), # <u>3</u> Exhibit C (redacted), # <u>4</u> Exhibit D (redacted), # <u>5</u> Civil Cover Sheet, # <u>6</u> Summons USAO-DC, # <u>7</u> Summons USAG-01, # <u>8</u> Summons USAG-02)(Braga, Stephen) (Entered: 10/18/2019)
10/18/2019	<u>2</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by PERIENNE DE JARAY, STEVEN A.W. DE JARAY (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit A (SEALED), # <u>2</u> Exhibit B (SEALED), # <u>3</u> Exhibit C (SEALED), # <u>4</u> Exhibit D (SEALED), # <u>5</u> Text of Proposed Order)(Braga, Stephen) (Entered: 10/18/2019)
10/18/2019	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Philip J. Bezanson, :Firm- Bracewell LLP, :Address- 701 5th Avenue, Suite 6200, Seattle, Washington 98104. Phone No. - 206-204-6206. Fax No. - 800-404-3970 Filing fee \$ 100, receipt number ADCDC-6462017. Fee Status: Fee Paid. by PERIENNE DE JARAY, STEVEN A.W. DE JARAY (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Braga, Stephen) (Entered: 10/18/2019)
10/18/2019	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- David B. Springer, :Firm- Bracewell LLP, :Address- 111 Congress Avenue, Suite 2300, Austin, Texas 78701. Phone No. - 512-494-3680. Fax No. - 800-404-3970 Filing fee \$ 100, receipt number ADCDC-6462066. Fee Status: Fee Paid. by PERIENNE DE JARAY, STEVEN A.W. DE JARAY (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Braga, Stephen) (Entered: 10/18/2019)
10/29/2019		Case assigned to Judge Trevor N. McFadden. (zmc) (Entered: 10/29/2019)
10/29/2019	<u>5</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 10/29/2019. (lctnm1) (Entered: 10/29/2019)
10/29/2019	<u>6</u>	SUMMONS (3) Issued Electronically as to U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zmc) (Entered: 10/29/2019)
10/29/2019	<u>7</u>	REQUEST FOR SUMMONS TO ISSUE <i>to FBI</i> filed by STEVEN A.W. DE JARAY, PERIENNE DE JARAY.(Braga, Stephen) (Entered: 10/29/2019)
10/29/2019	<u>8</u>	SUMMONS (1) Issued Electronically as to FEDERAL BUREAU OF INVESTIGATION. (ztth) (Entered: 10/29/2019)
10/30/2019		MINUTE ORDER denying Plaintiffs' <u>2</u> Motion for Leave to File Documents Under Seal. Pursuant to Local Rule 5.4(f), personal identifiers should be redacted from electronically filed documents. No additional privacy interests justify filing Plaintiffs' exhibits to their Complaint under seal. The Clerk is directed not to docket the attached exhibits. Signed by Judge Trevor N. McFadden on 10/30/2019. (lctnm1) (Entered: 10/30/2019)
11/06/2019	<u>9</u>	NOTICE of Appearance by Paul Cirino on behalf of FEDERAL BUREAU OF INVESTIGATION (Cirino, Paul) (Entered: 11/06/2019)
11/08/2019	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/30/2019. (Braga, Stephen) (Entered: 11/08/2019)

11/08/2019	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL BUREAU OF INVESTIGATION served on 10/30/2019 (Braga, Stephen) (Entered: 11/08/2019)
11/08/2019	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/5/2019. Answer due for ALL FEDERAL DEFENDANTS by 12/5/2019. (Braga, Stephen) (Entered: 11/08/2019)
12/05/2019	<u>13</u>	ANSWER to Complaint by FEDERAL BUREAU OF INVESTIGATION.(Cirino, Paul) (Entered: 12/05/2019)
12/05/2019		MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the schedule on or before December 27, 2019. Signed by Judge Trevor N. McFadden on 12/05/2019. (lctnm1) (Entered: 12/05/2019)
12/06/2019		Set/Reset Deadlines: Joint Status Report due by 12/27/2019. (hmc) (Entered: 12/06/2019)
12/11/2019	<u>14</u>	Consent MOTION for Extension of Time to File <i>Joint Status Report</i> by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 12/11/2019)
12/11/2019		MINUTE ORDER granting Defendant's <u>14</u> Consent Motion to Extend Time to File Joint Status Report. The parties shall file a Joint Status Report on or before January 17, 2020. The Joint Status Report should propose a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiffs' FOIA request, the anticipated number of documents responsive to Plaintiffs' FOIA request, the anticipated date(s) for release of the documents requested by Plaintiffs, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. SO ORDERED. Signed by Judge Trevor N. McFadden on 12/11/2019. (lctnm1) (Entered: 12/11/2019)
12/11/2019		Set/Reset Deadlines: Joint Status Report due by 1/17/2020. (hmc) (Entered: 12/11/2019)
01/17/2020	<u>15</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Cirino, Paul) (Entered: 01/17/2020)
01/21/2020		MINUTE ORDER. Upon consideration of the parties' <u>15</u> Joint Status Report, Defendant shall begin processing at least 500 pages of requested records on or before March 31, 2020. Defendant shall continue to process at least 500 pages of requested records each month until Defendant's processing of the requested records is complete. The parties are hereby ORDERED to file a Joint Status Report every 60 days, with the next such Joint Status Report to be filed on or before April 30, 2020. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/21/2020. (lctnm1) (Entered: 01/21/2020)
01/21/2020		Set/Reset Deadlines: Defendant's 500 pages of records due by 3/31/2020, and every month thereafter. Joint Status Report due by 4/30/2020, and every 60 days thereafter. (hmc) (Entered: 01/21/2020)
03/24/2020	<u>16</u>	MOTION to Stay by FEDERAL BUREAU OF INVESTIGATION (Attachments: # <u>1</u> Declaration of Michael G. Seidel, # <u>2</u> Text of Proposed Order)(Cirino, Paul) (Entered: 03/24/2020)
03/26/2020		MINUTE ORDER granting in part Defendant's <u>16</u> Motion to Stay. It is ORDERED that Defendant's March 31, 2020, processing and production deadline for records responsive to Plaintiff's FOIA request is VACATED. Plaintiff shall file a response to Defendant's Motion to Stay on or before April 9, 2020, regarding future processing and productions. SO ORDERED. Signed by Judge Trevor N. McFadden on 3/26/2020.

		(lctnm1) (Entered: 03/26/2020)
03/26/2020		Set/Reset Deadlines: Plaintiff's response to Defendant's Motion to Stay due by 4/9/2020. (hmc) (Entered: 03/26/2020)
04/01/2020		MINUTE ORDER granting <u>3</u> Motion for Leave to Appear Pro Hac Vice. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Trevor N. McFadden on 4/1/2020. (lctnm1) (Entered: 04/01/2020)
04/01/2020		MINUTE ORDER granting <u>4</u> Motion for Leave to Appear Pro Hac Vice. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a). Click for instructions. Signed by Judge Trevor N. McFadden on 4/1/2020. (lctnm1) (Entered: 04/01/2020)
04/07/2020	<u>17</u>	NOTICE of Appearance by Philip J. Bezanson on behalf of PERIENNE DE JARAY, STEVEN A.W. DE JARAY (Bezanson, Philip) (Entered: 04/07/2020)
04/09/2020	<u>18</u>	RESPONSE re <u>16</u> MOTION to Stay filed by PERIENNE DE JARAY, STEVEN A.W. DE JARAY. (Braga, Stephen) (Entered: 04/09/2020)
04/09/2020	<u>19</u>	REPLY to opposition to motion re <u>16</u> MOTION to Stay filed by FEDERAL BUREAU OF INVESTIGATION. (Attachments: # <u>1</u> Declaration of Michael G. Seidel (4/9/2020))(Cirino, Paul) (Entered: 04/09/2020)
04/13/2020		MINUTE ORDER setting a hearing on Defendant's <u>16</u> Motion to Stay for April 21, 2020, at 10:00 a.m. The hearing will take place by telephone. Dial-in information will be emailed to counsel. Signed by Judge Trevor N. McFadden on 4/13/2020. (lctnm1) (Entered: 04/13/2020)
04/13/2020		Set/Reset Hearings: Motion Hearing set for 4/21/2020 at 10:00 AM before Judge Trevor N. McFadden. (hmc) (Entered: 04/13/2020)
04/21/2020		Minute Entry for proceedings held before Judge Trevor N. McFadden: Motion Hearing held on 4/21/2020 re <u>16</u> Motion to Stay. Defendant's production obligation is STAYED. Defendant's Status Report due by 5/5/2020. (Court Reporter: Crystal Pilgrim.) (hmc) (Entered: 04/21/2020)
05/05/2020	<u>20</u>	STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Attachments: # <u>1</u> Declaration of David M. Hardy)(Cirino, Paul) (Entered: 05/05/2020)
05/05/2020		MINUTE ORDER. Upon consideration of the Defendant's <u>20</u> Status Report, Defendant shall process at least 50 pages of requested records and produce responsive records on or before May 29, 2020. The parties are hereby ORDERED to file a Joint Status Report on or before June 4, 2020, addressing Defendant's ability to continue processing Plaintiffs' FOIA request. SO ORDERED. Signed by Judge Trevor N. McFadden on 5/5/2020. (lctnm1) (Entered: 05/05/2020)
05/05/2020		Set/Reset Deadlines: Defendant's records due by 5/29/2020. Joint Status Report due by 6/4/2020. (hmc) (Entered: 05/05/2020)
05/06/2020	<u>21</u>	NOTICE of Appearance by David Springer on behalf of All Plaintiffs (Springer, David) (Entered: 05/06/2020)
06/04/2020	<u>22</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Cirino, Paul) (Entered: 06/04/2020)
06/04/2020		MINUTE ORDER. Upon consideration of the parties' <u>22</u> Joint Status Report, Defendant shall process at least 100 pages of requested records and produce responsive records on or before June 30, 2020. The parties are hereby ORDERED to file a further Joint Status Report on or before July 6, 2020, addressing the status of Plaintiffs' FOIA request. SO ORDERED. Signed by Judge Trevor N. McFadden on 6/4/2020. (lctnm1) (Entered: 06/04/2020)
06/04/2020		Set/Reset Deadlines: Defendant's responsive records due by 6/30/2020. Joint Status Report due by 7/6/2020. (hmc) (Entered: 06/04/2020)
07/06/2020	<u>23</u>	Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION. (Cirino, Paul) (Entered: 07/06/2020)

07/06/2020		MINUTE ORDER. Upon consideration of the parties' <u>23</u> Joint Status Report, the parties are ORDERED to file a further Joint Status Report proposing a schedule for further proceedings on or before September 4, 2020, or within 14 days of Defendant completing its response to Plaintiffs' FOIA request, whichever is sooner. SO ORDERED. Signed by Judge Trevor N. McFadden on 7/6/2020. (lctnm1) (Entered: 07/06/2020)
07/06/2020		Set/Reset Deadlines: Joint Status Report due by 9/4/2020. (hmc) (Entered: 07/06/2020)